



Serial No.: 09/767,651
Inventor(s): Willauer et al.

U.S. PTO Customer No. 25280
Case No.: 5132

REMARKS

The Office Action dated April 10, 2003, included the following rejections, objections, and comments:

1. A new title was required that clearly indicates the invention.
2. A typographical error was noted that the word "plan" was intended to be "plain" in the specification and claims.
3. Claims 25-24, 28-29, 32, 34, and 37-38 were rejected under 35 USC §102(b).
4. Claims 26-27, and 36 were rejected under 35 USC §103(a) as being unpatentable over Reynolds.
5. Claims 30-31, and 39-41 were rejected under 35 USC §103(a) as being unpatentable over Reynolds in view of Crenshaw.

Applicants would like to express their appreciation to the Examiner for the interview on August 13, 2003.

In response to these rejections, objections, and comments, and in view of the above Amendments, Applicant provides the following Remarks:

1. Title of Invention

Applicant has amended the title of the invention to read "Method of Forming a Three Dimensional Camouflage Textile". Applicant respectfully submits that the amended title now is descriptive of the invention.

2. Typographical Error

Applicant has amended the application in line 6 of page 2 and in line 2 of Claim 5 to read "plain" in place of "plan".

3. Rejection of Claims 25-24, 28-29, 32, 34, and 37-38 under 35 USC §102(b)

Applicant has amended the claims to more clearly indicate that the base textile includes yarns having thermal plastic material, and flat and wrinkled regions are formed in a base textile by the application of a hot fluid stream to the thermal plastic yarns, the wrinkled regions being formed by the shrinking of the yarns. In contrast, Reynolds does not disclose the use of a hot fluid stream applied to yarns. Additionally, there is no base fabric having both flat regions and wrinkled regions. In Reynolds, the composite fabric is heated using infrared over the entire composite fabric. The result is the entire fabric area forming the lobes becomes wrinkled. Applicant respectfully submits that Reynolds does not teach the application of a discrete fluid jet stream to yarns for forming separate flat and wrinkled regions in the same base textile.

4. Rejection of Claims 26-27, and 36 under 35 USC§103(a)

Asserted above, applicant respectfully submits that Reynolds does not teach or suggest the use of hot fluid streams to form wrinkled and flat regions of a camouflage

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material. Furthermore, applicant respectfully submits that there is no teaching or suggestion in Reynolds to use a hot fluid stream performing flat regions and wrinkled regions in a textile having a camouflage pattern.

5. Rejection of Claims 30-31, and 39-41 under 35 USC §103(a)

Applicant respectfully submits that there is no teaching or suggestion to replace the process of the infrared heating of the textile such as in Reynolds with a hot fluid stream as in Crenshaw. Additionally, Crenshaw is directed to modifying surface elements on a textile, such as pile, to provide varying in height. In contrast the above-referenced invention is directed to the formation of wrinkled regions in the base textile. Therefore, Applicant respectfully submits that there is no teaching, suggestion, or motivation in Reynolds or Crenshaw to form the present invention.

Applicant having addressed all of the rejections, objections, and comments in the latest Office Action, respectfully requests reconsideration and allowance of the pending claims in view of the above Amendments and Remarks. Applicant respectfully submits that the amendments submitted herewith do not add new matter to the application. In the event that the Examiner believes that the claims would be allowable with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.